Jurisdictional Statement

81-5729

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SUPREME COURT, U.S.

Case No. _____

Supreme Court, U.S.
FILED
OCT 10 1981
Alexander L. Stevas, Clerk

IN THE SUPREME COURT
OF THE UNITED STATES

October Term, 1981

U.S.A. ex rel. FRANK H. SEVERA,
Appellants

vs.

Board of Review, State of New Jersey,
RESPOND INC., et al,
Appellees

On Appeal From The New Jersey Supreme Court

JURISDICTIONAL STATEMENT

Frank H. Severa, pro se
226-C- Cooper St.,
Camden, N.J. 08102-W

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MILLER FALLS COTTON MILLS CO. CONTENT

QUESTIONS PRESENTED

DID THE SUPREME COURT OF NEW JERSEY ERR AS A MATTER OF LAW IN HOLDING THAT THE PROVISIONS OF THE BILL OF RIGHTS AND MANY FEDERAL QUESTIONS SHOULD OF HAVE BEEN GIVEN PLENARY CONSIDERATION.

ARE MARY BENT AND HOWARD HEALD BOTH NON-ATTORNEYS VALID PERSONS TO HEAR LEGAL AND CRIMINAL TESTIMONY IN NEW Jersey?

Was EVERY SCINTILLA CONSTITUTIONAL PROCEDURE DONE IN THIS CASE BELOW?

WHY WAS NOT AMILCAR TORRES PUNISHED WHEN HE PUT INTO A BRIEF IN THE NEW JERSEY COURTS HE BEING A NON-LAWYER?

WAS THE APPELLANTS RIGHTS VIOLATED UNDER THE FOURTEENTH AMENDMENT?

DID NOT RESPOND INC., VIOLATE APPELLANT INVASION OF PRIVACY BY CERTAIN INFORMATION DISCLOSURES?

DID NOT RESPOND INC., VIOLATE FEDERAL LAWS BY NOT PAYING HIS BASIC RIGHT TO AN ADEEQUATE PAY; UNDER THE PROVISIONS SHOULD NOT RESPOND INC., BE ASSED PUNITIVE DAMAGES FOR ARBITRARY AGE DISCRIMINATION IN VIOLATION OF ADEA 7 (b) , (c) 29 U.S.C. 626(b) , (c) (1970) and ADEA 2 (b), 29 U.S.C. 621(b) 1970) ADEA 7 (b), 29 U.S.C. 626(b)(1970) , incorating FLSA 16, 29 U.S.C. 216(1970) ; N.J. Stat. Ann. 10:5-17 (1972).

WHY WAS NOT APPELLANT SENT A TRANSCRIPT OF TESTIMONY OF THE CRUCIAL HEARING BEFORE MARY BENT?

Jurisdiction

The jurisdiction of this Court is evoked 28 U.S.C. 1257 (2).

The judgment of the New Jersey Supreme Court was entered on July 14, 1981

The notice of appeal was filed on or about July 21, 1981, in the Supreme Court of New Jersey and is attached hereto as Appendix 1.

MILLERS FALLS
ERASE
COTTON CONTENT

MILLERS FALLS
ERASE
COTTON CONTENT

STATEMENT OF THE CASE

This a Unemployment case involving Appellant being Fired, and being denied benefits for 5 (five) weeks and subsequent-ly enlynd 4(four) checks was cut benefits to $0.00 (Zero).

Appellant argued, inter alia, at every stage of the proceedings, both in his briefs on the merits and at oral arguments, that his firing was unconstitutional in that the statute discriminated against appellant on the basis of age and violated his rights under the Fourteenth Amendment and unlawful discrimination of N.J.S.A. 10:5-12(a) by paying appellant $3,700. 00 per year after 2years of Promises he would get his predecessor's pay of $7,000.00 per year. Appellant was on a Government contract of the 75% was granted with 25% matching private funds. Title etc. Title XX etc.,

This is also a case involving the validity of Non-Lawyers hearing Unemployment cases; Please Honorable Court believe me, there is a big difference NOW in Food Stamps, Wefare Cases Appeals whereby Adm. Law Judges hear such cases.

Appellant contends these Federal Laws were violated ADEA 7 (b) (c) 29 U.S.C. 626(b),(c),(1970); ADEA 2(b),29 U.S.C. 621(b) (1970) andincorporating FLSA 16, 29 U.S.C. 216(1970).

N.J. Stat. Ann. 10:5-17(1976).

Deprivation of Due Process of Law Clause

Respond Inc., Attorney does not oppose bringing up entire Record, in fact recomends it with a Brief.

True Labor must be paid, and ever he will pray etc.

CONCLUSION

Appellant is entitled to fair wage scale and at one time when the Director "docked him a days pay $10.00" Appellant CONTENDS this Corporation owes me " over one years pay for overtime" and that time overtime was not paid for but anyone could take time off with pay; so Director changed it to: "From now on any overtime is considered Volunteer free time"; at one time this Corporation had had 3 vans, (since then they lost them thru mismanagement) and me and or Appellant and his Clients wanted transportation; Mr. Torres would sarcastically state; " YOU are no better than anyone else" as he had a rule 48 hours in advance, but others on the staff of lower rank, would get instance service of vans, when not doing regular work. Appellant contends that this all started when he fired his Assistant Director Anne Everett and Appellant also later stopped paying into his $40,00000 Fund, which appellant calls extortion, Mr. Torres stated many times; No one will be hurt if they do not donate to this fund" but very soon thereafter Appellant was informed "All requests must be in writing" "any typing Briefs for Frank Severa would be fired" thereafter his expenses to Gray Panthers Conventions was not paid, even a $17.00 gas bill as Mr. Torres took 4 weeks vacation and Appellant was in charge At one time when the late Daniel Montez was living and we both stated this "$40, 000 fund are Union Dues" Mr. Montez warned me not to mention same or Mickey would fire you. Mr. Torres fired a van Driver and herewith again the allegation was a crime, but at least he received his checks, also Anne Everett with no 5 penalty weeks. They really put the burden of proof on Appellant to prove his innocence. Wherefore he prays for his real pay and $90,000 punitive damages or the very least a remand for a true hearing and the 16 witnesses testify under oath for themselves. As ever he will pray etc.

Respectfully submitted,

Frank Severa pro se

FRANK M. SEVERA
23 COOPER ST.
CAMDEN, N.J. 08102

STATUTES INVOLVED

29 U.S.C. 626(b),(c) (1970); 29 U.S.C. 621(b) (1970)

29 U.S.C. 216(1970)

N.J. Stat. Ann. 10:5-17 (1972)

28 U.S.C. 1257 (2)

Privacy Act of 1974

Civil Rights Act 42 U.S.C.A. 1983 (Grounds of Discrimination Prohibited in General)

Due Process of Law; U.S.C.A Const. Amend 14th; Giaccio v. State of Penna., 86 S. Ct. 518.

5 U.S.C. sec. 552 a (b).

Respond Inc., Operates in violation of the Fourth and Fifth Amendments U.S.Constitution.

Seizes assets of any kind and every kind and without a Jury Trial.

This Private Agency so-called Operates as a law unto itself without legal or moral restraint.

Fourteenth Amend. U.S. Const.

Best Copy Available

SUPREME COURT OF NEW JERSEY
18,583 SEPTEMBER TERM 1980

FRANK H. SEVERA,

Petitioner-Appellant,

vs.

BOARD OF REVIEW, etc., et al,

Respondents-Respondents.

ORDER DISMISSING APPEAL

This matter having been duly presented to the Court, it is ORDERED that the appeal in the within matter is dismissed pursuant to R.2:12-9.

WITNESS, the Honorable Robert N. Wilentz, Chief Justice, at Trenton, this 14th day of July, 1981.

FILED
SUPREME COURT
JUL 16 1981
Stephen W. Townsend
Clerk

Stephen W. Townsend
Clerk

- 8 -

A TRUE COPY
Stephen W. Townsend
CLERK

SUPREME COURT OF NEW JERSEY
C-819 SEPTEMBER TERM 1980

FRANK H. SEVERA,

Petitioner-Petitioner,

vs.

BOARD OF REVIEW, etc., et al,

Respondents-Respondents.

ON PETITION FOR CERTIFICATION

To the Appellate Division, Superior Court:

A petition for certification of the judgment in A-3757-79 having been submitted to this Court, and the Court having considered the same;

It is ORDERED that the petition for certification is denied.

WITNESS, the Honorable Robert N. Wilentz, Chief Justice, at Trenton, this 14th day of July, 1981.

Stephen W. Townsend
Clerk

FILED
SUPREME COURT
JUL 16 1981
Stephen W. Townsend
Clerk

- 7 -

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JUL 21 '81

Supreme Court Clerk's Office

SUPREME COURT OF NEW JERSEY
C-819 September Term 1980

15583

U.S.A. ex rel
FRANK H. SEVERA,

Petitioner- Appellant,

vs.

BOARD OF REVIEW, Respond Inc., et al,

Defendants-Respondents.

Civil Action

NOTICE OF APPEAL

FILED
SUPREME COURT
JUL 21 1981
Stephen W. Townsend
Clerk

D1

TO: ATTORNEY GENERAL OF NEW JERSEY, TRENTON, N.J. 08625

JOHN D. WILSON, ATTORNEY FOR RESPOND INC., 111 N. 4th St., Camden, N.J. 08102

TAKE NOTICE THAT Frank H. Severa, pro se, residing at 228 (CO) Cooper St., Camden, N.J. 08102, hereby appeals to the Supreme Court of the United States, from the decision of the Supreme Court of New Jersey dated July 14th, 1981.

S.S. #205-10-6885

S.Ct. N.J. # C819 Sept. Term 1980

Frank H. Severa
Signature

CERTIFICATION

I hereby certify that I have mailed a copy of this Notice of appeal to my last employer's Attorney and to the Attorney General of New Jersey. I also request preparation of the transcript of the hearing in my case by Examiner Mary Bent a non-Attorney.

Frank H. Severa
(Signature)

A-3757-79

ORDER ON
MOTIONS/PETITIONS

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-3757-79
MOTION NO. M-5179-79
BEFORE PART L
JUDGE MERRITT LANE, JR.

U.S.A. OF AMERICA, ex rel
FRANK H. SEVERA, ET AL

VS.

BOARD OF REVIEW, DEPT. OF
LABOR AND INDUSTRY AND
RESPOND, INC.

FILED
APPELLATE DIVISION
AUG 22 1980
JC
Elizabeth McLaughlin
Clerk

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REC'D.
APPELLATE DIVISION
AUG 22 1980
A17
Elizabeth McLaughlin
Clerk

MOVING PAPERS FILED JULY 23, 1980
ANSWERING PAPERS FILED
DATE SUBMITTED TO COURT AUGUST 19, 1980
DATE ARGUED
DATE DECIDED AUGUST 19, 1980

ORDER

THIS MATTER HAVING BEEN DULY PRESENTED TO THE COURT, IT IS

HEREBY ORDERED AS FOLLOWS:

	GRANTED	DENIED	OTHER
MOTION TO COMPEL RESPONDENT'S TO FURNISH COMPLETE TRANSCRIPTS.		X	

SUPPLEMENTAL:

I hereby certify that the foregoing is a true copy of the original on file in my office.

Elizabeth McLaughlin
Clerk

FOR THE COURT:

Merritt Lane
MERRITT LANE, JR., J.A.D.

WITNESS, THE HONORABLE MERRITT LANE, JR. , JUDGE OF PART L , SUPERIOR COURT OF NEW JERSEY, APPELLATE DIVISION, THIS 19th DAY OF AUGUST, 1980 .

eh

Elizabeth McLaughlin